

Report Date: December 15, 2017

United States District Court

for the

Eastern District of Washington

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

DEC 18 2017

SEAN F. McAVOY, CLERK
DEPUTY
SPOKANE, WASHINGTON

Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: Eric Lynn Heartburg Case Number: 0980 2:04CR00021-WFN-1
Address of Offender: Spokane, Washington 99201
Name of Sentencing Judicial Officer: The Honorable Wm. Fremming Nielsen, Senior U.S. District Judge
Date of Original Sentence: June 14, 2004
Original Offense: Armed Bank Robbery, 18 U.S.C. § 2113(a) and (d); Use of a Firearm During a Crime of Violence, 18 U.S.C. § 924(c)(1)
Original Sentence: Prison - 180 months Type of Supervision: Supervised Release
TSR - 36 months
Asst. U.S. Attorney: Stephanie A. Van Marter Date Supervision Commenced: February 7, 2017
Defense Attorney: Matthew A. Campbell Date Supervision Expires: February 6, 2020

PETITIONING THE COURT

To issue a summons.

The probation officer believes that the offender has violated the following condition(s) of supervision:

Violation Number Nature of Noncompliance

- 1 **Standard Condition # 3:** The defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer.

Supporting Evidence: On February 8, 2017, Mr. Heartburg's conditions of supervision were reviewed with him. He signed his conditions, acknowledging an understanding of his conditions, to include standard condition number 3, as noted above.

On November 20, 2017, Mr. Heartburg reported to the probation office. After the office visit, he was directed to report back to the undersigned officer on December 4, 2017. Mr. Heartburg failed to report as directed.

- 2 **Special Condition #10:** You shall abstain from the use of alcohol and illegal controlled substances, and shall submit to urinalysis testing, including Breathalyzer testing, as directed by the supervising probation officer.

Supporting Evidence: On February 8, 2017, Mr. Heartburg's conditions of supervision were reviewed with him. He signed his conditions, acknowledging an understanding of his conditions, to include special condition number 10, as noted above

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Mr. Heartburg violated his conditions of supervised release by using methamphetamine on December 5 and 12, 2017.

On December 14, 2017, Mr. Heartburg reported to the U.S. Probation Office as directed by the undersigned officer. He was directed to submit to a urinalysis test. A urine sample was collected, which tested positive for methamphetamine. Mr. Heartburg admitted to using methamphetamine on December 5 and 12, 2017. The urine sample was sent to Alere Toxicology for further testing. The results are pending.

The U.S. Probation Office respectfully recommends the Court issue a summons requiring the offender to appear to answer to the allegation(s) contained in this petition.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: 12/15/2017

s/Corey M. McCain

Corey M McCain
U.S. Probation Officer

THE COURT ORDERS

- ☐ No Action
- ☐ The Issuance of a Warrant
- ☒ The Issuance of a Summons
- ☐ Other


Signature of Judicial Officer

12/18/17
Date